

ORIGINAL

Approved: Pat U. Moroney
PATRICK R. MORONEY
Assistant United States Attorney

Before: THE HONORABLE BARBARA C. MOSES
United States Magistrate Judge
Southern District of New York

22 MAG 2780

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UNITED STATES OF AMERICA : COMPLAINT
:
- v. - : Violation of
:
JAMAR BAKER, : 18 U.S.C. §§ 922(g)(1),
:
Defendant. : 924(a)(2), and 2
:
:
COUNTY OF OFFENSE:
NEW YORK
:
- - - - - X

SOUTHERN DISTRICT OF NEW YORK, ss.:

EDGARDO BARBOT, being duly sworn, deposes and says that he is a Detective with the New York City Police Department ("NYPD"), and charges as follows:

COUNT ONE

(Felon in Possession of a Firearm)

1. On or about March 23, 2022, in the Southern District of New York and elsewhere, JAMAR BAKER, the defendant, knowing he had previously been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, knowingly did possess a firearm, to wit, a loaded .380-caliber Ruger CCP pistol, and the firearm was in and affecting commerce.

(Title 18, United States Code, Sections 922(g)(1), 924(a)(2), and 2.)

COUNT TWO

(Felon in Possession of Ammunition)

2. On or about March 23, 2022, in the Southern District of New York and elsewhere, JAMAR BAKER, the defendant, knowing he had previously been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, knowingly did possess ammunition, to wit, two .380-caliber cartridges, and the ammunition was in and affecting commerce.

(Title 18, United States Code, Sections 922(g)(1), 924(a)(2), and 2.)

The bases for my knowledge and for the foregoing charges are, in part, as follows:

3. I am a Detective with the NYPD and I have been personally involved in the investigation of this matter. This affidavit is based upon my personal participation in the investigation of this matter, my conversations with other law enforcement officers, as well as my examination of reports, records, and video. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all of the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

4. Based on my review of criminal history records, I have learned, among other things, that on or about November 21, 2014, JAMAR BAKER, the defendant, was convicted in the Southern District of New York of conspiracy to commit Hobbs Act robbery ("Count One") and using a firearm during and in relation to a crime of violence ("Count Two"). On or about February 24, 2015, the Honorable Paul A. Engelmayer sentenced BAKER to 30 months' imprisonment on Count One and 60 months' imprisonment on Count Two, to run consecutively. On or about October 7, 2019, Judge Engelmayer vacated BAKER's conviction on Count Two and resentenced BAKER on Count One to time served, which amounted to a sentence of approximately 62 months' imprisonment.

5. Based on my interview of an NYPD police officer ("Victim-1"), I have learned the following.

a. Victim-1 is assigned to the 30th Precinct in West Harlem.

b. On the morning of March 23, 2022, Victim-1 was driving through the Bronx into Manhattan to begin his NYPD shift. Victim-1 was driving his personal vehicle and was not wearing his NYPD uniform.

c. Shortly before 6:35 a.m., Victim-1 was waiting at a traffic light in the Bronx to make a right onto the Macombs Dam Bridge. While waiting at the traffic light, another vehicle

(the "Vehicle") made contact with the back bumper of Victim-1's car.

d. Victim-1 turned onto the Macombs Dam Bridge to cross into Manhattan. While on the bridge, the Vehicle ran into the back bumper of Victim-1's car with more force.

e. Victim-1 put his vehicle in park. The Vehicle drove alongside Victim-1's vehicle, and the driver of the Vehicle (the "Driver") rolled down his passenger side vehicle while Victim-1 rolled down his driver's side window. The Driver said to Victim-1, in sum and substance, "what are you gonna do, faggot?" The Driver then spit toward Victim-1.

f. The Vehicle and Victim-1's vehicle continued driving onto West 155th Street in Manhattan. After driving several blocks, Victim-1's vehicle was in the left lane of West 155th Street, and the Vehicle was in the right lane. The Vehicle struck the passenger side of Victim-1's vehicle. The Driver then pointed a gun out of the driver's side window of the Vehicle and fired twice at Victim-1's vehicle, striking the passenger side tire and front bumper of Victim-1's vehicle.

g. As the Vehicle continued on West 155th Street, the Driver fired additional rounds toward Victim-1's vehicle.

h. Eventually, Victim-1 lost sight of the Vehicle.

i. Victim-1 reported to other law enforcement officers that the Vehicle was a silver Ford Explorer, with a New Jersey license plate that began with "M30."

6. Based on my conversations with other members of the NYPD, I know that, after the incident, members of the NYPD recovered two .380-caliber shell casings (the "Casings") from the vicinity of West 155th Street and Edgecombe Avenue, which is located several blocks into Manhattan from the Macombs Dam Bridge.

7. I have reviewed a photograph taken by an NYPD license plate reader camera on March 23, 2022, at 6:34 a.m., which is within minutes of when Victim-1 informed other law enforcement officers that he encountered the Vehicle on the Macombs Dam Bridge. The license plate reader photograph shows a black Ford SUV, with a New Jersey license plate beginning "M30" (the "M30 Ford") on the Bronx side of the Macombs Dam Bridge, driving toward Manhattan.

8. Based on my conversations with other members of the NYPD and my review of NYPD records, I have learned the following.

a. At approximately 8:20 a.m. on March 23, 2022, members of the NYPD pulled over the M30 Ford in the Brownsville neighborhood of Brooklyn. The defendant, JAMAR BAKER, was in the vehicle, along with BAKER's five-month-old child and the mother of BAKER's child ("Witness-1"). All three individuals were eventually transported to the 32nd Precinct in Manhattan.

b. At the 32nd Precinct, Witness-1 gave a video-recorded statement in which she described the events of that morning.

9. Based on my review of Witness-1's statement, I learned the following.

a. At approximately 7:15 a.m. on March 23, 2022, JAMAR BAKER, the defendant, arrived at Witness-1's residence in the New Lots neighborhood of Brooklyn (the "Residence"), to pick up Witness-1 and her other children and take them to school. BAKER was driving the M30 Ford.

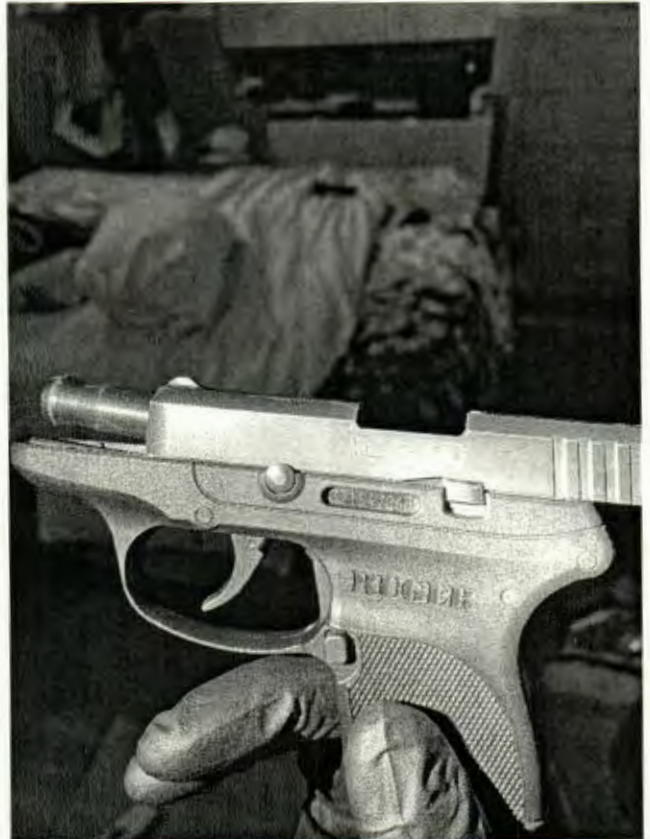
b. When BAKER arrived at the Residence, he told Witness-1 that he needed to use the restroom. Witness-1 gave BAKER the keys to the Residence. BAKER let himself into the Residence and then returned to the M30 Ford with Witness-1.

c. Witness-1 noticed that, while BAKER was driving, he appeared jittery. BAKER also told Witness-1, in sum and substance, "they're after me."

10. Based on my conversations with other members of law enforcement, I have learned the following.

a. Witness-1 consented to a search of the Residence by law enforcement.

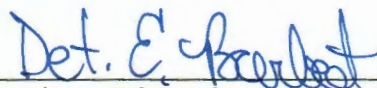
b. While conducting the search of the Residence, members of law enforcement found a .380-caliber handgun (the "Firearm") stuffed inside a teddy bear in a child's crib. A photograph of the teddy bear, with the handle of the Firearm visible, is shown below on the left, along with a photograph of the Firearm on the right.



11. Based on communications with a Special Agent from the Bureau of Alcohol, Tobacco, Firearms and Explosives who is familiar with the manufacturing of firearms and ammunition, I have learned that the Pistol and the Casings were not manufactured in New York State.¹

¹ I also know, from other members of the NYPD, that later in the day on March 23, 2022, Victim-1 was shown a photo array that included a photograph of JAMAR BAKER, the defendant. Victim-1 identified a different individual as the individual who shot at him on the morning of March 23, 2022.

WHEREFORE, deponent respectfully requests that a warrant be issued for the arrest of JAMAR BAKER, the defendant, and that he be arrested, and imprisoned or bailed, as the case may be.



Detective Edgardo Barbot
New York City Police Department

Sworn to before me,
this 24th day of March, 2022



THE HONORABLE BARBARA C. MOSES
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK